IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 979 (S/S) of 2007

Ranbir Singh Faraswan S/o Shri Narain Singh Faraswan
R/o 7/90, Halda Pani, Post Office Gopeshwar
District- Chamoli --------Petitioner

Versus

1. Chamoli District Cooperative Bank Ltd., Gopeshwar, District Chamoli through its Chairman/General Manager
2. Secretary/General Manager, Chamoli District Cooperative Bank Ltd., Gopeshwar, District Chamoli

-------Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri R.P. Nautiyal, learned counsel for the petitioner and Sri N.S. Negi, learned counsel for the respondents.

By means of this writ petition, the petitioner has prayed for the following reliefs:

1. Issue a writ, order or direction in the nature of certiorari calling for the records and quashing the impugned order of transfer dated 25.7.2007 (Annexure No. 1 to this writ petition), passed by Secretary/General Manager, Chamoli District Cooperative Bank Ltd., Gopeshwar, District Chamoli, respondent no. 2.
2. Pass any other and further orders, which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.
3. Award the cost of writ petition to the petitioner.

Vide impugned order dated 25th July, 2007 passed by Secretary/General Manager, Chamoli District Cooperative Bank

Ltd., Gopeshwar, District Chamoli, the petitioner, who is working as Junior Branch Manager (Grade II), has been transferred from Nandprayag to Tharali, District Chamoli.

The transfer has been assailed by the petitioner on two grounds. First is that it is not clear form the transfer order that on which post the petitioner has been transferred to Tharali.

Since the petitioner is working as Junior Branch Manager (Grade II), it is presumed that he has been transferred on the similar post of Junior Branch Manager (Grade II) to Tharali., therefore, this ground of petitioner has no force.

The second ground is that petitioner's son is studying in M.Com. at Gopeshwar and his daughter is also of marriageable age. Further his wife has already expired and in case he is compelled to join at new place of posting, which is about 100 kms. away from Gopeshwar, there is no one to look after his children, who are residing at Gopeshwar.

During the course of argument, learned counsel for the petitioner has submitted that raising all his grievances, the petitioner has already moved a representation before respondent no. 2 on 27.07.2007, which is Annexure 2 to the writ petition. Learned counsel for the petitioner has submitted that respondent no. 2 may be directed to take decision on the representation of the petitioner sympathetically at the earliest.

In the circumstances, I deem it fit and proper to direct the respondent no. 2 to take decision on the representation of the

petitioner dated 27.07.2007 within a period of two weeks from the date of production of a certified copy of this order before him.

With this direction, the writ petition is finally disposed of. All the pending applications stand disposed of.

(M.M. Ghildiyal, J.)

31.07.2007
VKS